

JAP:DGR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

16 M 1096

UNITED STATES OF AMERICA

COMPLAINT

- against -

(21 U.S.C. §§ 952(a) and 960)

GIORELL RAPHAEL THODE,

Defendant.

-----X

EASTERN DISTRICT OF NEW YORK, SS:

CHARLES TANNOURI, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to law and acting as such.

On or about December 6, 2016, within the Eastern District of New York and elsewhere, the defendant GIORELL RAPHAEL THODE did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. On or about December 6, 2016, the defendant GIORELL RAPHAEL THODE arrived at John F. Kennedy International Airport in Queens, New York aboard JetBlue Airlines Flight 1112 from Willemstad, Curacao.

2. Upon his arrival, the defendant was selected for an enforcement examination by officers of United States Customs and Border Protection ("CBP"). At the examination, the defendant presented two bags for inspection: a multi-colored "Von Dutch" checked-in bag and a dark "TGS" carry-on bag. The defendant acknowledged ownership of both bags.

3. While inspecting the dark colored "TGS" bag, a CBP officer noticed that the bag had an unusually thick bottom. The bottom of the bag was probed, revealing a thick, glue-like substance, which later field-tested positive for cocaine. Approximately 0.9709 kilograms of cocaine was seized from the defendant's bag.

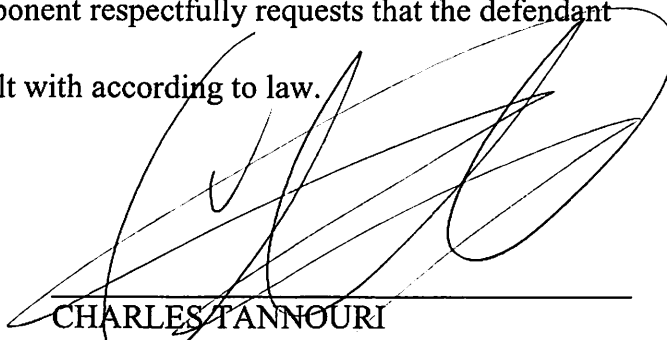
4. The defendant GIORELL RAPHAEL THODE was placed under arrest and CBP officers contacted HSI. Special Agents with HSI gave the defendant Miranda warnings, and the defendant waived those rights and agreed to speak with the agents.²

5. During his subsequent interview with the HSI agents, the defendant GIORELL RAPHAEL THODE, stated in sum and substance that he was put in touch with someone about bringing drugs into the United States and that he obtained the carry-on bag prior to his flight. The defendant stated that he was to be paid for transporting the drugs. The defendant admitted that he knew he was bringing drugs into the United States, but did not know the type of drug he was carrying.

² The defendant is a Spanish speaker, and the interview was conducted by an HSI Special Agent who is fluent in Spanish.

WHEREFORE, your deponent respectfully requests that the defendant
GIORELL RAPHAEL THODE be dealt with according to law.

Dated: Brooklyn, New York
December 7, 2016

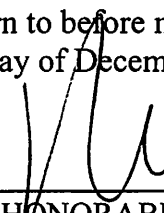


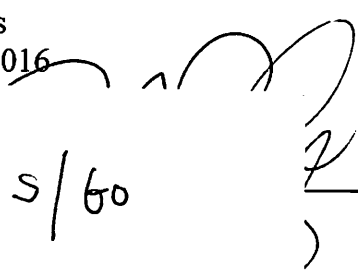
CHARLES TANNOURI

Special Agent

United States Department of Homeland Security
Homeland Security Investigations

Sworn to before me this
7th day of December, 2016



THE HONORABLE
UNITED STATES
EASTERN DISTRICT OF NEW YORK
S/60

)